

## DOCUMENT A

### Minutes of a meeting of the District Planning Committee held on 29 October 2015 from 2.00 p.m. to 3.22 p.m.

**Present:** Robert Salisbury (Chairman)  
Christopher Hersey (Vice-Chairman)

Phillip Coote\*  
David Dorking  
Bruce Forbes

Margaret Hersey  
Jacqui Landriani  
Bob Mainstone

Peter Martin\*  
Edward Matthews  
Colin Trumble  
Neville Walker\*

\* Absent

**Also Present (as appointed substitute):** Councillor Ginny Heard.

**Also Present:** Councillors Ash-Edwards, Clarke, Andrew Lea and MacNaughton.

#### 25. SUBSTITUTES AT MEETINGS OF COMMITTEE – COUNCIL PROCEDURE RULE 4

The Committee noted that, in accordance with Council Procedure Rule 4, Councillor Ginny Heard had replaced Councillor Peter Martin for the duration of the meeting.

#### 26. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Martin.

#### 27. DECLARATIONS OF INTEREST

Councillor Margaret Hersey disclosed a personal interest as she is a member of Lindfield Parish Council's Planning and Traffic Committee and would listen to the debate before making any judgement on the application.

Councillor Dorking disclosed a personal interest as Chairman of Haywards Heath Town Council's Planning Committee and reserves the right to alter his views after comments made by both Members and Officers.

#### 28. MINUTES

The minutes of the meeting held on 1 October 2015 were approved as a correct record and signed by the Chairman.

**[For the benefit of the meeting, the Chairman outlined the background to this application. He explained that this is an outline application which looks only at the access and the principle of development. It does not look at detail.**

**He advised Members that the Development Plan has to be taken into account. The National Planning Policy Framework (NPPF) carries a presumption in favour of sustainable development. He reminded Members that, as the Council cannot demonstrate a five year supply of housing land, permission should be granted unless any adverse impacts of doing so would significantly and**

**demonstrably outweigh the benefits. Members have to make a judgement on this basis as to whether the previous reasons for refusal have been overcome.**

## **29. APPLICATIONS AND OTHER MATTERS CONSIDERED**

### DM/15/3415 – Land North of Birchen Lane, Haywards Heath, West Sussex, RH16 1SA (2)

The Chairman announced that there are, as well as the people in the gallery, 25 members of the public who object to the planning application, sat listening to the debate in the Committee Room.

Kirsten King, Senior Planning Officer took Members through the application. She clarified that as only outline permission was sought Members were considering the means of access and principle of development of the site only. She explained that the site comprises three field parcels with housing proposed in the two northern fields. She identified the location of the two Grade II\* Listed Buildings and the public footpath. The southern field closest to Sunte House will provide access into the site with an emergency access via Birchen Lane. She added that Birchen Wood is ancient woodland, Sunte House is in an elevated position relative to the housing and the Scrase Stream has flooding issues.

The Senior Planning Officer recalled the planning history of the site when permission was sought for up to 48 dwellings on the site. This application was subsequently refused and is now the subject of an appeal to be held in 16 February 2016. She informed Members of the reasons for refusal and said that the application before members this afternoon seeks to overcome the reasons for that refusal.

There were four public speakers, Bob O'Brien, Chris Butler and Miles Mayall, spoke against the application. John Escott, the Agent, spoke in support.

The Ward Member for Haywards Heath – Heath pointed out that both Haywards Heath and Lindfield Parish Council still object to the proposed scheme. The previous decision to refuse is sensible. This application does not overcome the reasons for refusal, substantial harm does remain and there would be an impact on heritage settings. He referred to the comments made by the County Archaeologist in relation to the impact on the fields. The NPPF states that there is a need to protect heritage assets. To approve this application would set a dangerous precedent; he did not feel that the planning balance now tipped in favour of granting permission.

He referred to the planning inquiry to be held in February, which has been called in by the Secretary of State because of the conflict with the Neighbourhood Plan. Both Neighbourhood Plans are gaining weight. He believed that a precautionary approach should be taken and suggested that both applications should be scrutinised...

The Ward Member for Lindfield drew Members' attention to paragraph 14 of the NPPF which states that permission should be granted unless the adverse impact of the proposed development significantly and demonstrably outweighs the benefits; in this case the impacts did not outweigh the benefits.

The Neighbourhood Plan determines where housing is going and referred to the quality of life for future generations. This application should be refused as the impact of the proposed development does not outweigh the benefits.

One Member spoke of her great concerns at destroying the rural character of the area. There is no infrastructure, one school has closed, there is no room in the doctor's surgery and the roadway is out of control. It does not accord with the Lindfield Neighbourhood Plan regarding flooding and infrastructure. Flooding could result in sewage problems and she would not support the application and would propose refusal.

Other Members spoke against the application. One Member commented that, if the development goes ahead, sustainable methods of transport should be looked at. The needs of bikers and walkers had not been taken into account.

Another Member still considered this proposal would cause considerable harm. In response to a question regarding the weight to be given to the previous refusal on the site the Councils Solicitor Tom Clark confirmed that although this is a new application, the planning history is a material planning consideration...

One Member said nothing has changed; he could not support the application. Other Members supported this view and that Reasons 1 and 2 from the previous application still apply. The area should be protected and valued.

The Chairman reminded Members that there are benefits from this proposal which should be taken into consideration.

As there were no more speakers, Councillor Margaret Hersey proposed that the application be refused, this was seconded by Councillor Dorking and unanimously agreed.

## **RESOLVED**

- (1) the proposal is deemed to impact on the setting of Sunte House, a Grade II\* Listed Building. The harm arising to the significance of the heritage asset requires clear and convincing justification under Para 132 of the NPPF and such harm must be weighed against the public benefits of the proposal. The harm caused by development of this site is not outweighed by the benefits of the proposal and therefore the development is not deemed to constitute 'Sustainable Development' for the purposes of the NPPF. The proposal conflicts with policy B10 of the Local Plan and Para's 132 and 134 of the NPPF;
- (2) the proposal is deemed to result in substantial harm to the significance of the medieval assart landscape which includes the adjacent Hollow Way and comprises a non designated heritage asset. The harm caused by development of this site is not outweighed by the benefits of the proposal and therefore the development is not deemed to constitute 'Sustainable Development' for the purposes of the NPPF. The proposal conflicts with policy C1 of the Local Plan, Policies E5, E11 and E17 of the Haywards Heath Neighbourhood Plan, Policy 1 of the Lindfield Neighbourhood Plan and Para's 14, 109 and 135 of the NPPF;
- (3) In the absence of a completed S106 Agreement the proposal fails to meet Policies G3, R4 and H4 of the Mid Sussex Local Plan in respect of the infrastructure and affordable housing required to serve the development.

Chairman